

BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
ILLINOIS BELL TELEPHONE COMPANY))
(AMERITECH ILLINOIS))
 and)
CBeyond COMMUNICATIONS, LLC)
) No. 01 -0464
Joint Petition for Approval of)
a Negotiated Interconnection)
Agreement dated April 24, 2001)
pursuant to 47 USC Section 252.)

Chicago, Illinois

July 9, 2001

Met pursuant to notice at 10:30 a.m.

BEFORE :

MR. SHERWIN ZABAN, Administrative Law Judge.

1 APPEARANCES:

2 MR. JAMES A. HUTTENHOWER
225 West Randolph Street, Suite 25D
3 Chicago, Illinois 60606
appearing for Ameritech Illinois;

4 MS. JULIA STROW
5 320 Interstate North Parkway Southeast
Suite 300
6 Atlanta, Georgia 30339
appearing via telephone for Cbeyond
7 Communications, LLC;

8 MR. JAMES WEGING
160 North LaSalle Street, Suite C-800
9 Chicago, Illinois 60601
appearing for ICC staff.

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22 SULLIVAN REPORTING COMPANY, by
Giraida B. Bordabeheres, CSR

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I N D E X

Witnesses:	Direct	Cross	direct	cross	Examiner
None.					

Re - Re- By

E X H I B I T S

Number	For Identification	In Eviden ce
None marked.		

1 JUDGE ZABAN: By the power vested in me by the
2 Illinois Commerce Commission, I now call Docket
3 No. 01-0464, Illinois Bell Telephone Company doing
4 business as Ameritech Illinois and Cbeyond
5 Communications, LLC. This is a joint petition for
6 the approval of a negotiated agreement dated
7 April 24, 2001, pursuant to 47 USC, Paragraph 252.

8 Will the parties please identify
9 themselves and enter their appearance for the
10 record.

11 MR. HUTTENHOWER: James Huttenhower,
12 H-u-t-t-e-n-h-o-w-e-r, on behalf of Ameritech
13 Illinois, 225 West Randolph Street, Suite 25D,
14 Chicago 60606; (312) 727-1444.

15 MS. STROW: Julia Strow, S-t-r-o-w, Cbeyond
16 Communications, 320 Interstate North Parkway
17 Southeast, Suite 300, Atlanta, Georgia 30339;
18 telephone number (678) 424-2400.

19 MR. WEGING: James Wewing, W-e-g-i-n-g, 160 North
20 LaSalle Street, Suite C-800, Chicago, Illinois
21 60601; (312) 793-2877 appearing on behalf of
22 Commission staff.

1 JUDGE ZABAN: Mr. Huttenhower and Ms. Strow, my
2 understanding is that you have filed a petition for
3 the approval of a negotiated interconnect agreement
4 and that was filed with the Clerk's Office on
5 E-docket; is that correct?

6 MR. HUTTENHOWER: That's my understanding.

7 MR. WEGING: Yeah.

8 MS. STROW: That is my understanding as well.

9 JUDGE ZABAN: Do you have anything further other
10 than the negotiated agreement?

11 MR. HUTTENHOWER: Nothing else from Ameri tech.

12 MS. STROW: Nothing from Cbeyond.

13 JUDGE ZABAN: And Mr. Weging?

14 MR. WEGING: On July 6th we served an e-mail -- I
15 don't know if Ms. Strow got it because I don't know
16 if her e-mail showed up on our service list, but we
17 sent out via e-mail, we also sent out by first class
18 mail a copy of the verified statement of A. Olusanjo
19 Omoniyi. We also filed that verified statement on
20 the Commission E-docket and it's already -- can be
21 found there.

22 Mr. Omoniyi's verified statement

1 recommends approval of the underlying agreement
2 finding nothing against the public interest and
3 nothing discriminatory in the agreement. It's
4 subject to the usual postapproval conditions that
5 Ameritech file a verified a statement within five
6 days of the agreement's approval specifying that the
7 agreement found on our E-docket is the one that is
8 being approved so that the Clerk's Office can put it
9 on our Web site. And it's also -- and the second
10 condition is that Ameritech reference the existence
11 of the agreement with Cbeyond in its tariffs.

12 In view of all that, I am going to move
13 that the verified statement of A. Olusanjo Omoniyi
14 as found on the Commission E-docket be admitted into
15 record evidence. I should, I guess, for purpose of
16 the record note that it was filed on July 6th, 2001,
17 at 2:00 p.m. and is Receipt No. 14160.

18 JUDGE ZABAN: And for the record, if Mr. Omoniyi
19 were present today and asked the same questions in
20 his statement, his answers would be substantially
21 the same; is that correct?

22 MR. WEGING: Yes, they would be.

1 JUDGE ZABAN: Do you have anything further?

2 MR. HUTTENHOWER: Nothing from Ameritech.

3 JUDGE ZABAN: How about you, Ms. Strow?

4 MS. STROW: No, I have nothing further.

5 JUDGE ZABAN: That will conclude all the
6 evidence. I will mark this heard and taken and I
7 will enter the appropriate order.

8 HEARD AND TAKEN. . . .

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1 CERTIFICATE OF REPORTER

2 STATE OF ILLINOIS)
3)
4 COUNTY OF COOK)

5 CASE NO. 01-0464

6 TITLE: Ameritech Illinois and Cbeyond
Communications, LLC

7 I, Giraida B. Bordabeheres, do hereby certify
8 that I am a court reporter contracted by SULLIVAN
9 REPORTING COMPANY, of Chicago, Illinois; that I
10 reported in shorthand the evidence taken and the
11 proceedings had in the hearing on the above-entitled
12 case on the 9th day of July A.D. 2001; that the
13 foregoing 7 pages are a true and correct transcript
14 of my shorthand notes so taken as aforesaid, and
15 contains all the proceedings directed by the
16 Commission or other person authorized by it to
17 conduct the said hearing to be stenographically
18 reported.

19 Dated at Chicago, Illinois, this 23rd day
20 of July A.D. 2001.

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22 REPORTER